

### DECLARATION FOR PATENT APPLICATION

As a below named inventor, I (we) hereby declare that my (our) residence, post office address and citizenship are as stated below next to my (our) name; I (we) believe that I am (we are) the original, first and sole inventor(s) (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled: APODIZED FIBER BRAGG GRATING AND IMPROVED PHASE MASK, METHOD AND SYSTEM FOR MAKING THE SAME

the specification of which (check one): ☐ is attached hereto; ☒ was filed on 27 FEBRUARY 2004 as application serial No. 10/789,374 and was amended on (or amended through) \_\_\_\_\_ (if applicable); ☐ was filed on \_\_\_\_\_ as International Application (PCT) No. \_\_\_\_\_ and amended on \_\_\_\_\_ (if applicable). I (we) hereby state that I (we) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I (we) acknowledge the duty to disclose information known by me (us) to be material to the patentability of my (our) invention in accordance with Title 37, Code of Federal Regulations, § 1.56(a). I (we) hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application which priority is claimed.

I (We) hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application which priority is claimed.

#### Prior Foreign Application(s)

#### Priority Claimed

|                  |               |                                      |                                     |                          |
|------------------|---------------|--------------------------------------|-------------------------------------|--------------------------|
| <u>2,420,521</u> | <u>CANADA</u> | <u>27<sup>th</sup> FEBRUARY 2003</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (Number)         | (Country)     | (Day/Month/Year Filed)               | YES                                 | NO                       |
| _____            | _____         | _____                                | <input type="checkbox"/>            | <input type="checkbox"/> |
| (Number)         | (Country)     | (Day/Month/Year Filed)               | YES                                 | NO                       |

I (we) hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I (we) acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior art application and the national or PCT international filing date of this application:

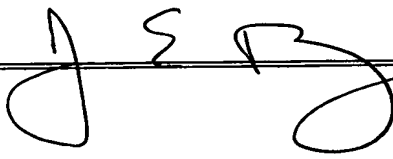
|             |               |   |
|-------------|---------------|---|
| (Appl. No.) | (Filing date) | (Status – Patented, Pending or Abandoned) |
|-------------|---------------|---|

|             |               |   |
|-------------|---------------|---|
| (Appl. No.) | (Filing date) | (Status – Patented, Pending or Abandoned) |
|-------------|---------------|---|

I (we) hereby declare that all statements made herein of my (our) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** I (we) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Garabed NAHABEDIAN (Reg. No. 29,507); Thierry ORLHAC (Reg. No. 29,497); Alain PROVOST (Reg. No. 33,143); Nathalie JODOIN (Reg. No. 41,558); Louis-Pierre GRAVELLE (Reg. No. 44,429); Luc MORIN (Reg. No. 44,430); Gonzalo LAVIN (Reg. No. 52,529); and Zhen WONG (Reg. No. 53,917), whose professional address is 55 St Jacques, Montreal, Quebec, Canada, H2Y 3X2.

|  |  |
|--|--|
| Full name of First or<br>Sole Inventor | Citizenship  |
| Joshua E. ROTHENBERG                   | American   |
| Residence Address-Street               | Post Office Address-Street   |
| 1537 South Doheny Drive,               | 1537 South Doheny Drive,   |
| City                                   | City   |
| Los Angeles                            | Los Angeles  |
| State or Country    Zip                | State or Country    Zip  |
| California, USA    90035               | California, USA    90035   |
| Date                                   | Signature  |
| April 1, 2004                          |  |